

This commentary is a reprint originally published by the World Federation Against Drugs.

## Comment on Global Commission on Drug Policy's report; *Taking Control: Pathways to Drug Policies that Work*

*World Federation Against Drugs recognizes that the fundamental goal of drug policy is to reduce the nonmedical use of drugs of abuse because nonmedical use of these drugs is harmful, and often fatal, to drug users and for society as a whole. Sound drug policies must be affordable, practical and consistent with contemporary values. The legalization of currently illegal drugs for nonmedical use will increase their use, and thus drug legalization is inconsistent with the public health goal of reducing drug use.*

*WFAD supports many good new ideas to reduce nonmedical drug use including promotion of effective prevention strategies and using the criminal justice system to promote prevention, treatment and recovery.*

The Global Commission on Drug Policy released their latest report with recommendations for drug policy on September 8, 2014. The World Federation Against Drugs, WFAD, welcomes an open and honest debate around drug policy especially in light of the United Nations General Assembly Special Session on Drugs, UNGASS, that will be held in 2016. WFAD is guided by the 1961, 1971 and 1988 UN drug conventions and the resolution resulting from the UNGASS-meeting of 1998. We believe that the UN conventions provide the necessary platform for international cooperation to reducing non-medical drug use, a major global epidemic with serious public health and public safety consequences.

WFAD also adheres to Article 33 in the United Nations Conventions on the Rights of the Child that states: *"States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances."*

In the foreword, the Global Commission on Drugs Policy asks that the political declaration from the UNGASS 2016 not aim at solving the drug problem. The Commission reiterates that the international community needs to come to terms with the reality that easy answers to the drug problem do not exist. WFAD would like to remind the Commission that the preamble of the Single Convention recognizes that "addiction to drugs constitutes a serious evil for the individual and is fraught with social and economic danger to mankind". Illicit drugs are a threat to the health and welfare of mankind. Recognizing this threat, the global community must work toward the goal of a drug-free world, very much as it works toward the goals of a cancer-free, poverty-free and crime-free world. The ambitious drug-free goal is neither utopian nor impossible. The Commission settles for lesser goals, which inhibit more effective solutions. Big goals produce big and well-targeted efforts. Small goals lead to small increments only.

We must strive for a drug-free world, not because it is easy but because it is hard!

WFAD agrees with the Commission that public health, community safety, human rights and

development should be at the center of drug policy. We welcome the emphasis that the Global Commission puts on ensuring access of essential medicines. Too many people live without access to essential medicines and removing obstacles to these medicines should be of priority for the member states.. This is also one of the aims of the drug conventions; therefore WFAD encourages member states to ensure that the conventions fulfill their purpose, to ensure the availability of controlled medicines to the whole world.

WFAD also welcomes the debate around human rights in drug policy. We support the abolition of the death penalty for drug related crimes.<sup>1</sup> Unfortunately the respect for human rights is not universal and violations on human rights should be fought in every case. Treatment should be guided by human dignity, human rights and be evidence-based; an even more important aspect if the treatment is compulsory. The respect for human life and human dignity is highlighted in the three drug conventions, and there is nothing in the drug conventions that stand in contradiction to human rights; they are written to be a complement. We therefore welcome a debate in UNGASS 2016 on how the respect for human rights can better be followed by member states and welcome as an outcome from the meeting the recommendation of proportionality which allows for treatment, education, aftercare, rehabilitation or social integration as an alternative to conviction or punishment from the meeting.

In contrast to the Global Commission on Drugs, WFAD sees no contradiction between the criminal system and the health system. Seeing the future of drug policy as a choice between the criminal justice system and the

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<sup>1</sup> <http://wfad.se/papers/4989-statement-of-the-congress-of-world-federation-against-drugs>

health system is not only false, it fails to recognize the complementary nature of these two vital systems. Together they can achieve goals that neither can achieve alone.

The Commission suggests that different models of regulation of drugs should be applied to reduce social and health harms and disempower organized crime. The Commission recognizes that use of drugs can be increased if drugs are legalized but claims that the totality of associated social and health harms is likely to decrease. The Commission claims that lessons should be learnt from the experiences with alcohol and tobacco, which they claim are drugs that are produced and transited largely without problem.

Overlooked in the report is the fact that worldwide 3.3 million people die every year due to the harmful effects of alcohol<sup>2</sup> and tobacco kills nearly 6 million people every year<sup>3</sup>. The World Health Organization, WHO, states that tobacco use is responsible for the death of about 1 in 10 adults worldwide.<sup>4</sup> It is estimated that around 500.000 children are working on tobacco plantations around the world, in direct violation of the children's right to be protected from economic exploitation and from performing any work that is likely to be hazardous, as stated in Article 32 of the Convention on the Rights of the Child.<sup>5</sup> Over one quarter of exported cigarettes disappear into the illegal market.<sup>6</sup>

According to WHO, the production of alcohol for export is concentrated to the hands of a

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<sup>2</sup> <http://www.who.int/mediacentre/factsheets/fs349/en/>

<sup>3</sup> <http://www.who.int/mediacentre/factsheets/fs339/en/>

<sup>4</sup> <http://www.who.int/mediacentre/factsheets/fs310/en/index2.html>

<sup>5</sup> <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

<sup>6</sup> [http://www.who.int/tobacco/communications/events/wntd/2004/tobaccofacts\\_nations/en/](http://www.who.int/tobacco/communications/events/wntd/2004/tobaccofacts_nations/en/)

few companies mostly based in developed countries. These companies spend heavily on marketing to stimulate demand for alcohol beverages. With the decrease of demand in developed countries they have intensified their marketing towards establishing new markets, for example low-income countries, women and young people who traditionally abstained or consumed very little alcohol. The new markets are recognizing alcohol for its revenue-generating profit but the substantial costs of alcohol-related problems are uncounted.<sup>7</sup> Despite a strict regulation of alcohol and tobacco, as for example in Sweden, most minors have access to alcohol and tobacco. There is no reason to believe that a regulated market for cannabis, heroin and cocaine will be any more successful to limiting these products to adults.

The essential question that must be asked is if the most effective way to reduce the extensive harms of illicit drugs is through legal regulation as suggested by the Commission. The global experience with alcohol and tobacco demonstrates that they are not examples of great success of regulated functioning markets. There is no data to support that a regulated market for cannabis, heroin and cocaine will be any different from alcohol and tobacco. If lessons should be learnt from alcohol and tobacco it is that legalization of drugs will increase supply of drugs, create an extensive black market and that companies will market drugs to minors and within developing countries.

The pathway towards an enlightened drug policy cannot be achieved through legalization of drugs; instead it must harness the criminal justice system to reinforce prevention, thwart drugs markets, and facilitate entry into treatment – while restricting prolonged

incarceration to egregious and repeat offenders. The criminal justice system plays an integral role in drug use prevention by protecting public safety, reducing the availability of drugs and discouraging drug use and leveraging people to treatment.

There is much work to be done globally to solve the world drug problem, but if not aiming to solve the problem, there is little evidence that we will come closer to reaching this goal.

To summarize WFAD supports the following principles to serve as a platform for the drug policy debate:

- Drug policies should prevent initiation of drug use.
- Drug policies must respect human rights (for users and non-users alike) as well as the principle of proportionality.
- Drug policies should strike a balance of efforts to reduce the use of drugs and the supply of drugs.
- Drug policies should protect children from drug use.
- Drug policies should ensure access to medical help, treatment and recovery services.
- Drug policies should ensure access to controlled drugs for legitimate scientific and medical purposes.
- Drug policies should ensure that medical and judicial responses are coordinated with the goal of reducing drug use and drug-related consequences.<sup>8</sup>
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<sup>7</sup>[http://www.who.int/substance\\_abuse/publications/en/globalstatussummary.pdf](http://www.who.int/substance_abuse/publications/en/globalstatussummary.pdf)

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<sup>8</sup> Drug Policy Futures principals can be found in full here: <http://drugpolicyfutures.org/about/>